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LAB0321
(FLU:KCB)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERTO CASTANON,

Defendant,

and

**NEW YORK LIFE INSURANCE,
and its successors or assigns,**

Garnishee.

Hon. WILLIAM H. WALLS

CRIMINAL No. 10-237

**AMENDED
APPLICATION AND ORDER
FOR WRIT OF GARNISHMENT**

The United States of America, plaintiff, makes this application in accordance with 28 U.S.C. § 3205(b)(1) to the Clerk of the United States District Court to issue a Writ of Garnishment upon the judgment entered against the defendant, Roberto Castanon, social security number *****8622, whose last known address is Rahway, NJ 07065 in the above cited action in the amount of \$341,788.94, plus interest at the rate of % per annum and penalties.

The total balance due and owing as of April 12, 2012 is \$341,638.94.

Demand for payment of the above-stated debt was made upon the debtor not less than 30 days from April 12, 2012, and debtor has failed to satisfy the debt.

The Garnishee is believed to have possession of property in which Roberto Castanon has a substantial non-exempt interest. More specifically, the Garnishee is a financial institution which is believed to have in its custody, control, or possession, property belonging to the judgment debtor, Roberto Castanon.

The name and address of the Garnishee or his authorized agent is:

New York Life Insurance
14600 Detroit Avenue
Suite 1000
Lakewood, OH 44107

Based upon the foregoing, the United States respectfully requests the Court to enter an Order directing the Clerk of the United States District Court to issue a Writ of Garnishment.

PAUL J. FISHMAN
United States Attorney

By:  LEAH A. BYNON
Assistant U.S. Attorney

IT IS, on this 8 day of May, 2012,

ORDERED, that the Clerk of the Court shall issue the Writ of Garnishment.


HON. WILLIAM H. WALLS, JUDGE
UNITED STATES DISTRICT COURT

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**AMENDED
CLERK'S NOTICE OF
POST-JUDGMENT
GARNISHMENT**

TO THE ABOVE-NAMED DEFENDANT AND ALL OTHER PERSONS INTERESTED:

You are hereby notified that property in the possession, custody, or control of New York Life Insurance, in which you have an interest, is being taken by the United States of America which has a Court judgment in CRIMINAL No. 10-237 in the sum of \$341,788.94. A balance of \$341,638.94 remains outstanding.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Roberto Castanon can show that the exemptions apply. Attached is a summary of the exemptions which are applicable.

If you are Roberto Castanon you have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

The instructions for objection to the Answer of the Garnishee and for obtaining a

hearing on the objections are set forth in the "Notice of Garnishment and Instructions to the Above-named Defendant" served upon you by the United States of America.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by completing the Request for Hearing Form which is attached to the Writ of Garnishment. You must either mail it or deliver it in person to the Clerk of the United States District Court at the King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney, Financial Litigation Unit at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

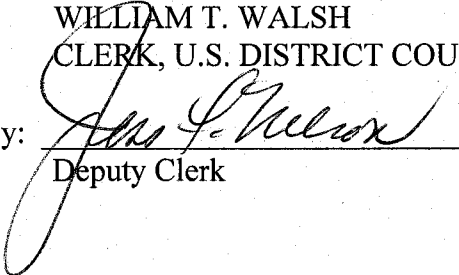
At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, a Court Order will be entered attaching the wages, monies, and/or commissions which will then be applied against the judgment owed the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the District Court at the King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney, Financial Litigation Unit at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

WILLIAM T. WALSH
CLERK, U.S. DISTRICT COURT

By:


Deputy Clerk